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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Placer)

THE PEOPLE,

Plaintiff and Respondent,

v.

DAVID NOAH WOODALL,

Defendant and Appellant.

C080515

(Super. Ct. No. 62121247A)

Appointed counsel for defendant David Noah Woodall asked this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).) Finding no arguable error that would result in a disposition more favorable to defendant, we affirm the judgment.

We provide the following brief description of the facts and procedural history of the case. (*People v. Kelly* (2006) 40 Cal.4th 106, 110, 124.)

On April 15, 2013, law enforcement officers conducted a parole search of a room from which defendant fled. Inside that room, the officers found a .22-caliber rifle, a .40-caliber Glock 22 handgun, and heroin. Defendant was arrested and on April 17, 2013,

the People charged him with numerous crimes, including being a felon in possession of a firearm and possession of a controlled substance with a firearm. Defendant was subsequently incarcerated in Sacramento County Jail, serving a two-year sentence in an unrelated matter.

Later, defendant filed a speedy trial demand under Penal Code section 1381 but in October 2014, he agreed to waive time on that demand. By November 2014, defendant completed his sentence in Sacramento County and was negotiating a plea in this matter.

On January 15, 2015, the People filed a seven count information again charging defendant with numerous crimes including being a felon in possession of a firearm and possessing a controlled substance with a firearm. The People further alleged defendant served two prior prison terms without remaining free of custody for five years before committing a felony offense.

Defendant pleaded no contest to being a felon in possession of a firearm and possessing a controlled substance with a firearm. In exchange, the People agreed to imposition of a stipulated, aggregate term of three years eight months in state prison. Defendant asked to continue sentencing for three weeks.

On September 8, 2015, the trial court sentenced defendant to serve the stipulated term and granted the People's motion to dismiss the remaining charges. The court ordered defendant to pay various fines and fees and awarded him 20 days of custody credit. Defendant appeals, having obtained a certificate of probable cause.

Counsel filed an opening brief that sets forth the facts of the case and requests that we review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days have elapsed, and we have received no communication from defendant.

Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

DISPOSITION

The judgment is affirmed.

_____/s/
HOCH, J.

We concur:

_____/s/
BUTZ, Acting P. J.

_____/s/
RENNER, J.